

## Exhibit 17

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**  
Washington, D.C. 20549

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**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the  
Securities Exchange Act of 1934.**

**Date of Report: March 05, 2007**  
(Date of earliest event reported)

**Finisar Corporation**  
(Exact name of registrant as specified in its charter)

**DE**  
(State or other jurisdiction  
of incorporation)

**000-27999**  
(Commission File  
Number)

**94-3038428**  
(IRS Employer  
Identification Number)

**1389 Moffett Park Drive**  
(Address of principal executive offices)

**94089-1134**  
(Zip Code)

**408-548-1000**  
(Registrant's telephone number, including area code)

**Not Applicable**  
(Former Name or Former Address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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**Item 2.02. Results of Operations and Financial Condition**

On March 5, 2007, Finisar Corporation issued a press release announcing its preliminary financial results for the third quarter ended January 28, 2007. The press release relating to the financial results is attached hereto as Exhibit 99.1.

**Item 9.01. Financial Statements and Exhibits**

**(a) Financial statements:**

None

**(b) Pro forma financial information:**

None

**(c) Shell company transactions:**

None

**(d) Exhibits**

99.1 Press Release of Finisar Corporation dated March 05, 2007

Exhibit 99.1 shall not be deemed "filed" for purposes of the Securities Exchange Act of 1934, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, except as expressly set forth by specific reference in such filing.

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**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: March 05, 2007

**FINISAR CORPORATION**

By: /s/ Stephen K. Workman

Stephen K. Workman  
*Chief Financial Officer*

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**Exhibit Index**

**Exhibit No.**

**Description**

99.1

Press Release of Finisar Corporation dated March 05,  
2007

**Finisar Reports Preliminary Third Quarter Financial Results**

SUNNYVALE, CA -- 03/05/2007 -- Finisar Corporation (NASDAQ: FNSR), a technology leader in gigabit fiber optic solutions for high-speed data networks, today reported preliminary financial results for its third fiscal quarter ended January 28, 2007.

The Company is not providing detailed GAAP or non-GAAP financial results for the quarter at this time. The preliminary non-GAAP financial metrics presented below do not reflect any adjustments that may be needed as a result of the Company's voluntary review of its historical stock option grants and associated accounting and should be considered preliminary until such time as the Company files its quarterly report on Form 10-Q for the third quarter of fiscal 2007.

**NON-GAAP FINANCIAL METRICS - THIRD FISCAL QUARTER ENDED JANUARY 28, 2007**

- Revenues of \$107.5 million were approximately the same as in the prior quarter and up 16.3% from the third quarter of the prior fiscal year. These results compare to management's revenue guidance of \$108-\$112 million for the quarter.
- Revenues continued to be impacted by excess inventories of short wavelength transceivers on hand at certain customers, primarily for SAN applications, and sales of those products were down \$7.1 million from the previous quarter; however, sales of products for metro-telecom applications rose by a like amount in the third quarter.
- Non-GAAP gross margins improved significantly in comparison to the first half of the fiscal year due to a favorable shift in the optics product mix toward 10Gig and metro-telecom applications. Non-GAAP gross margins exclude stock compensation expense and certain other charges, mostly of a non-cash nature.
- Cash and short-term investments, plus other long-term investments which can be readily converted into cash, totaled \$135.9 million at January 28, 2007, up from \$130.0 million at the end of last quarter. The Company has classified certain of its investments as long-term based on its intent to hold these securities until maturity, although they can be readily sold if required.

"We are disappointed that for the first time in 14 quarters our revenues did not grow sequentially," said Jerry Rawls, Finisar's President and CEO. "The culprits were excess inventory of short wavelength transceivers and 10G parts supply limitations. Nevertheless, we were pleased with the strong demand for our 10G, 40Gig, and metro-telecom products. Shipments of 10G and 40Gig products totaled \$11.6 million in the third quarter, up 44% from the second quarter and more than double from one year ago. More importantly, the favorable shift in product mix helped us significantly improve our third quarter gross margins over both the first half of the year and the previous quarter."

**NASDAQ LISTING UPDATE**

As previously announced, on December 14, 2006, the Company received a Staff Determination letter from the Nasdaq Stock Market indicating that the Company was not in compliance with Nasdaq's continued listing requirements due to the delay in the filing of its quarterly report on Form 10-Q for the period ended October 29, 2006 and, therefore, that its common stock was subject to delisting from the Nasdaq Global Select Market. On February 15, 2007, the Company appeared before a Nasdaq Listing Qualifications Panel to present a plan for regaining compliance. The Panel has not yet rendered a decision. Pending the Panel's decision, Finisar's

network test and monitoring systems. These products enable high-speed data communications for networking and storage applications over Gigabit Ethernet Local Area Networks (LANs), Fibre Channel Storage Area Networks (SANs), and Metropolitan Area Networks (MANs) using Fibre Channel, IP, SAS, SATA and SONET/SDH protocols. The Company's headquarters is in Sunnyvale, California, USA. [www.finisar.com](http://www.finisar.com).

Contact:

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